

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY E. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. MAUPY
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1938-1971

August 24, 2005

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P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.
TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

FACSIMILE COVER SHEET

To: Attn: Examiner Robert Siconolfi
Art Unit: 3683
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: (571) 273-8300

From: David W. Dorton

Re: Our File: WUE-28
U.S. Application Serial No. 10/718,076
Filed November 20, 2003
ELECTOMECHANICAL BRAKE
WITH ZERO BACKLASH
ACTUATION
Martin Schautt

Pages: 5 (including cover sheet)

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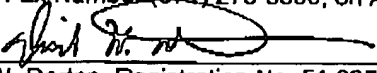
MESSAGE/COMMENTS

Attached herewith is a
Notification of Loss of Entitlement to Small Entity Status and a
Payment of Deficiency Owed Resulting from Previous Erroneous Payment of Small
Entity Fees submitted in the above-identified application.

PLEASE DELIVER IMMEDIATELY TO
EXAMINER ROBERT SICONOLFI
ART UNIT 3683

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David W. Dorton, Registration No. 51,625

August 24, 2005
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/718,076
Filed: November 20, 2003
Art Unit: 3683
Examiner: Robert Siconolfi
Applicant: Martin Schautt
Title: ELECTROMECHANICAL BRAKE WITH ZERO BACKLASH
ACTUATION
Attorney Docket: WUE-28
Confirmation No.: 8655

Cincinnati, Ohio 45202

August 24, 2005

Mail Stop Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTIFICATION OF LOSS OF ENTITLEMENT TO
SMALL ENTITY STATUS (37 C.F.R. §1.27(g)(2))**

Applicant hereby notifies the Patent and Trademark Office that it is no longer entitled to status as a small entity for this application, effective as of September 17, 2004, as a result of a merger of the Assignee with a larger company. Thus, small entity status which was originally established in good faith, and fees as a small entity were paid in good faith, so remain until the September

17, 2004 date. To excuse any fees paid after September 17, 2004, Applicant submits herewith a deficiency payment and an itemization of those payments.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 

David W. Dorton, Reg. No. 51,625

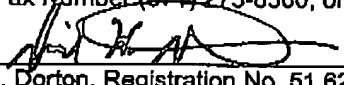
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 241-6234 (facsimile)

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David W. Dorton, Registration No. 51,625

AUGUST 24, 2005

Date

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Alexandria, VA 22313-1450

Sir:

**PAYMENT OF DEFICIENCY OWED RESULTING FROM PREVIOUS ERRONEOUS
PAYMENT OF SMALL ENTITY FEES (37 C.F.R. § 1.28(c))**

In order to excuse Applicant's error in small entity status in accordance with 37 C.F.R. § 1.28(c), authorization is herein provided to charge deposit account, \$700.00 for the deficiency owed. In a paper filed on even date herewith, Applicants

Adjustment date: 08/26/2005 SLUANG2
06/14/2005 GWORDOF2 00000007 10718076
01 FC:2501 -700.00 DP

08/26/2005 SLUANG2 00000001 233000 10718076
01 FC:1501 700.00 DA 700.00 DP

hereby notify the Patent and Trademark Office that they are no longer entitled to status as a small entity.

Calculation of Deficiency Owed (37 C.F.R. § 1.28(c)(2)(i))

In accordance with 37 C.F.R. §1.28(c)(2)(i), the deficiency owed is \$700.00.

Itemization of Deficiency Payment (37 C.F.R. § 1.28(c)(2)(ii))

In accordance with 37 C.F.R. §§1.28(c)(2)(ii) (A) and (B), the following fees were erroneously paid as a small entity:

- 1) Utility Issue Fee \$700.00 Paid on 6/08/2005

The current fee amounts for non-small entities are:

- 1) Utility Issue Fee \$1,400.00

In accordance with 37 C.F.R. §1.28(c)(2)(ii) (C), the deficiency owed amount is \$700.00.

- 1) Utility Issue Fee \$700.00

In accordance with 37 C.F.R. §1.28(c)(2)(ii) (D), the total deficiency payment owed amount is \$700.00.

Please apply these fees to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 

David W. Dorton, Reg. No. 51,625

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